IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

Judge David Folsom

ATTORNEY FOR PLAINTIFFS: Edward R Nelson, III, T John Ward Jr

ATTORNEY FOR DEFENDANTS: Phillip Aurentz, , BradleyCaldwell, Mark Calhoun,

Jason Cook, Brian Craft, Elizabeth DeRieux,

Shannon Dacus, Tonya Gray,

Klaus Hamm, Bill Lavender, Adam Biggs,

Douglas Ray McSwane Jr, Britnee Reamy, Sharon

Roberg-Perez, John Zarian, Rick Faulkner

LAW CLERK: David Keyzer

COURTROOM DEPUTY: Rhonda Lafitte

COURT REPORTER: Libby Crawford

STATUS CONFERENCE

February 25 @ 10:45 a.m.

OPEN: 10:45 AM Ct open

Ct Asks for background

10:45 Plft - Ed Nelson gives background

10:47 Ct asks about motion to dismiss

Britney Reamy for dfts agrees re motion to dismiss

10:48 Ct advises it can be submitted on paper or set a hearing for April 14 @ 10:00 AM with each side getting 15 minutes

10:49 Ct - Other pending motions? Claim Construction? December 16th, 2010

Parties agree

Ct - 90 minutes each side - Is tutorial needed?

10:50 Nelson - yes, we are preparing a submission

Ct - Dfts?

Tony Gray - submission also

Ct set for day before the claim construction hrg; 45 minutes per side

10:51 Ct Protective order?

Gray - working on it.

Ct - can the court have it within 30 days?

Gray - Yes

Ct - Protective order by March 31

Ct is aware technical advisor is not required; Motion deadlines - normal; Discovery deadlines - normal

10:52 Ct - Anything else - submit scheduling order and court will approve ADJOURN 10:52